

Petitioner filed a Request for Order (RFO) on May 27, 2022, requesting a modification of child custody, parenting time, and child support orders. Petitioner also requests the court maintain the current orders regarding medical and dental care costs not covered by insurance. Petitioner concurrently filed an Income and Expense Declaration. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on July 1, 2022 and a review hearing on August 11, 2022. Proof of Service filed with the court indicated Respondent was served by mail at an address in Reno on June 9, 2022.

Petitioner states in her Declaration that Respondent has moved out of his apartment as of February 22, 2022 and has not had either minor in his care since. Petitioner further states the eldest minor has not spent time in Respondent's care for the last two years. Petitioner is requesting the court order sole legal custody of the eldest minor, B.W. to Petitioner and joint legal custody of A.W. to Petitioner. Petitioner requests sole physical custody of both minors. Petitioner also requests guideline child support for both minors. Finally, Petitioner requests the court order Respondent reimburse Petitioner for one half the minors uncovered dental expenses.

Respondent filed a Responsive Declaration and Income and Expense Declaration on July 22, 2022. Petitioner was served by mail on July 21, 2022. Respondent states he will be relocating out of state. Respondent objects to Petitioner's request for sole physical custody. Respondent requests joint custody of both minors. Respondent requests parenting time 42 days each summer, alternating holidays, and every spring break. Respondent request the parties spilt the travel costs equally. Respondent objects to the request for guideline child support and ask the court take into consideration the Petitioner only works 24 hours per week.

Child Custody and Parenting Time

Only Petitioner attended CCRC on July 1, 2022. As such, a single parent CCRC report was filed on July 8, 2022 without agreements or recommendations. A copy was mailed to the parties on August 3, 2022, less than 10 days prior to the hearing. The court notes Petitioner served Respondent with the RFO and referral to CCR at the address Respondent has listed on his Responsive Declaration, yet Respondent failed to appear.

The court rerefers the parties to CCRC for an appointment on September 8th, 2022 at 9:00 AM.

Child Support

Based on Petitioner's Income and Expense Declaration, the court finds her month average income to be \$8,358. Petitioner has mandatory retirement of \$15 per month and work related expenses of \$55 per month.

Respondent has an average monthly income of \$6,612 per month with \$16 in mandatory retirement and \$85 in work related expenses.

Utilizing the above figures, and a 0% timeshare for Respondent, the court finds guideline child support to be \$1,452 per month payable from Respondent to Petitioner. See attached DissoMaster report. The court orders Respondent pay Petitioner \$1,452 as and for child support effective June 1,

2022. Payments are due the 1st of each month until termination by operation of law or further court order.

The court finds this results in an arrears balance of \$4,356 for the months of June through August inclusive. The court orders Respondent to pay Petitioner \$363 per month as and for arrears. Respondent shall pay Petitioner \$363 on the 15th of each month commencing August 15, 2022 until the balance is paid in full (approximately 12 months). If there is any missed payment the full balance is due with any legal interests.

The court reserves jurisdiction to modify child support to August 1, 2022. The court finds the parties have been referred to CCRC and the current timeshare may change. The court sets a further review hearing for child support to join with the child custody review hearing.

Medical Expenses

The court finds the current order is for the parties to share in the costs of uncovered medical and dental expenses equally. The court finds the minor B.W. had uncovered dental expenses of \$1,081.80 for dental surgery. The court finds the minor A.W. had uncovered dental expenses of \$92.60. The court orders Respondent to reimburse Petitioner \$587.20 for his equal share of the uncovered medical expenses for the minors, on or before September 12, 2022.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #20: PARTIES ARE REREFERRED TO CCRC FOR AN APPOINTMENT WITH NORMAN LABAT ON SEPTEMBER 8TH, 2022 AT 9:00 AM. THE COURT SETS A FURTHER REVIEW HEARING FOR RETURN ON CCRC AND CHILD SUPPORT ON OCTOBER 27TH, 2022 AT 1:30 PM IN DEPARTMENT 5. THE COURT RESERVES JURISDICTION TO MODIFY CHILD SUPPORT TO AUGUST 1, 2022. THE COURT ORDERS CHILD SUPPORT AND ARREARS PAYABLE AS SET FORTH ABOVE. THE COURT ORDERS RESPONDENT TO REIMBURSE PETITIONER FOR THE MINORS UNCOVERED DENTAL EXPENSES AS SET FORTH ABOVE. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

ATTORNEY (NAME AND ADDRESS): EDC Court California ATTORNEY FOR: <u>White</u>	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: <u>PFL20200532</u>

Input Data	Father	Mother	Guideline (2022)	Cash Flow Analysis	Father	Mother
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	0%	0%	Father	4,783	Payment (cost)/benefit	(1,452) 1,452
Filing status	Single	HH/MLA	Mother	6,696	Net spendable income	3,331 8,147
# Federal exemptions	1*	3*	Total	11,479	% combined spendable	29% 71%
Wages + salary	6,612	8,358	Support		Total taxes	1,728 1,592
401(k) employee contrib	0	0	CS Payor	Father	# WHA	2 9
Self-employment income	0	0	Presumed	(1,452)	Net wage paycheck/mo	4,835 6,666
Other taxable income	0	0	Basic CS	(1,452)	Comb. net spendable	11,478
Short-term cap. gains	0	0	Add-ons	0	Proposed	
Long-term cap. gains	0	0	Presumed Per Kid		Payment (cost)/benefit	(1,452) 1,452
Other gains (and losses)	0	0	Child 1	(538)	Net spendable income	3,331 8,147
Ordinary dividends	0	0	Child 2	(913)	NSI change from gdl	0 0
Tax, interest received	0	0	Spousal support	blocked	% combined spendable	29% 71%
Social Security received	0	0	Total	(1,452)	% of saving over gdl	0% 0%
Unemployment compensation	0	0	Proposed, tactic 9		Total taxes	1,728 1,592
Operating losses	0	0	CS Payor	Father	# WHA	2 9
Ca. operating loss adj.	0	0	Presumed	(1,452)	Net wage paycheck/mo	4,835 6,666
Roy, partnerships, S corp, trusts	0	0	Basic CS	(1,452)	Comb. net spendable	11,478
Rental income	0	0	Add-ons	0	Percent change	0.0%
Misc ordinary tax, inc.	0	0	Presumed Per Kid		Default Case Settings	
Other nontaxable income	0	0	Child 1	(538)		
New-spouse income	0	0	Child 2	(913)		
Adj. to income (ATI)	0	0	Spousal support	blocked		
SS paid other marriage	0	0	Total	(1,452)		
Ptr Support Pd. other P'ships	0	0	Savings	0		
CS paid other relationship	0	0	No releases			
Health ins.	0	0				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	16	15				
Hardship deduction	0*	0*				
Other gdl. deductions	85	55				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

Petitioner filed a request for ex parte emergency custody orders on July 12, 2022. On July 13, 2022, the court granted Petitioner's request for temporary sole physical custody of the minor. Petitioner filed a Request for Order (RFO) requesting the court make child custody and parenting time orders on July 13, 2022. Parties were referred to Child Custody Recommending Counseling (CCRC) for an emergency set appointment on July 26, 2022 and a review hearing on August 11, 2022. Respondent was personal served on July 29, 2022, with the FL-320; MC-025; FL-105; FL-220. The court is unable to locate a Proof of Service showing Respondent was served with the RFO or referral to CCRC.

Respondent filed a Responsive Declaration on July 29, 2022. Respondent additionally filed several Declaration on August 4, 2022. Upon review of the court file, there are no Proofs of Service filed showing Petitioner was served with these documents.

Both parties attended CCRC on July 26, 2022 and were unable to reach any agreements. A copy of the CCRC report was mailed to the parties on August 8, 2022. The court finds this was not timely and will not afford the parties an opportunity to review the report prior to the court hearing. Therefore, the court continues the matter to October 6th, 2022 at 1:30 PM in Department 5. Pending the continued hearing, the court modifies the prior order for sole legal and physical custody to Petitioner to joint legal and physical custody to both parties. Respondent shall have unsupervised parenting time with the minor Sunday at 3:00 pm to Wednesday at 3:00 pm the 1st and 3rd weeks of the month. Respondent shall have parenting time with the minor Wednesday from 3:00 pm to Sunday at 3:00 pm on the 2nd and 4th weeks of the month. Petitioner shall have the minor all other times.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #21: THE COURT CONTINUES THE CCRC REVIEW HEARING TO OCTOBER 6TH, 2022 AT 1:30 PM IN DEPARTMENT 5. PENDING THE CONTINUED HEARING, THE COURT MODIFIES THE PRIOR ORDER FOR SOLE LEGAL AND PHYSICAL CUSTODY TO PETITIONER TO JOINT LEGAL AND PHYSICAL CUSTODY TO BOTH PARTIES. RESPONDENT SHALL HAVE UNSUPERVISED PARENTING TIME WITH THE MINOR SUNDAY AT 3:00 PM TO WEDNESDAY AT 3:00 PM THE 1ST AND 3RD WEEKS OF THE MONTH. RESPONDENT SHALL HAVE PARENTING TIME WITH THE MINOR WEDNESDAY FROM 3:00 PM TO SUNDAY AT 3:00 PM ON THE 2ND AND 4TH WEEKS OF THE MONTH. PETITIONER SHALL HAVE THE MINOR ALL OTHER TIMES. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

Petitioner filed a Request for Order on May 17, 2022 requesting the court make child custody and visitation orders. Respondent was served by mail on May 17, 2022. Petitioner requests the court order joint legal and physical custody of the minors with a week on week off parenting schedule.

Respondent filed a Responsive Declaration On June 17, 2022. Petitioner was served by mail on June 17, 2022. Respondent objects the Petitioner's requested orders.

Both parties attended CCRC on June 23, 2022 and were able to reach a full agreement. A copy of the report was mailed to the parties on July 5, 2022. The court has read and considered the CCRC report and finds the parties' agreement to be in the best interest of the minors. The court adopts the agreement as its orders. Respondent shall have sole legal and physical custody of the minors. Petitioner shall have parenting time as set forth in the agreement. The court adopts the additional provisions as set forth in the report. Respondent is to ensure the three oldest minors are referred to and participating in counseling. Petitioner shall participate in counseling and make himself available to the minors' counselor. Respondent shall provide Petitioner with the minors' therapist's contact information. The parties shall enroll in and complete a co-parenting class and provide the court with a certificate of completion.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #22: THE COURT ADOPTS THE PARTIES' AGREEMENT AS ITS ORDER. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

Respondent filed a Request for Order (RFO) requesting the court modify parenting time on May 6, 2022. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on June 29, 2022 and a review hearing on August 11, 2022. Upon review of the court file, there is no Proof of Service showing Petitioner was served with the RFO or the referral to CCRC.

Nevertheless, both parties appeared for the CCRC appointment and were able to reach an agreement. The court finds based on the CCRC report, Petitioner has actual knowledge of Respondent's requests. The CCRC report provides additional recommendations as to legal custody and communication between the parties. Parties were mailed a copy of the report on June 30, 2022.

Petitioner has not filed a Responsive Declaration.

The court has read and considered the CCRC report and finds the agreement of the parties and the recommendations to be in the minor's best interest. The court adopts the agreement and recommendations as its order.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #23: THE COURT ADOPTS THE AGREEMENT AND RECOMMENDATIONS AS SET FORTH IN THE CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

24. JUANITA OCANAS V. RICHARD OCANAS**22FL0460**

On May 24, 2022, Petitioner filed a Request for Order (RFO) requesting the court makes orders as to child custody, parenting time, and property control. Upon review of the court file there is no Proof of Service showing Respondent was served with the RFO. Further, parties submitted a Stipulation and Order, which addresses all issues raised in the RFO, to the court on June 10, 2022. The court signed and adopted the parties Stipulation and Order on June 10, 2022. Therefore, the court finds the issues raised in the RFO have been resolved and drops the matter from the court's calendar.

TENTATIVE RULING #24: THE MATTER IS DROPPED FROM CALENDAR.

On May 17, 2022, Petitioner filed a Request for Order (RFO) requesting the court make child custody, parenting time, child support and spousal support orders. Petitioner filed an Income and Expense Declaration the same day. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on June 27, 2022 and a review hearing on August 11, 2022. Petitioner filed an amended RFO and Income and Expense Declaration on May 24, 2022. Respondent was personally served with the RFO and CCRC referral on June 4, 2022.

Petitioner requests sole legal and physical custody of the minor with Respondent to have supervised parenting time after he completes in-patient substance abuse treatment. Petitioner requests guideline child support. Petitioner requests the court order \$1,500 per month as temporary spousal support. Petitioner is also requesting property control orders for the residence located at 2432 Black Rock Lane in Cool, California.

Respondent has not filed a Responsive Declaration or an Income and Expense Declaration.

Child Custody and Parenting Time

On Petitioner appeared for the CCRC appointment on June 27, 2022. Respondent contacted the court a half-hour prior to the appointment to inform the counselor that his vehicle broke down. Petitioner was unwilling to allow Respondent to participate via phone, as she suspected he was under the influence. A single parent CCRC report was filed with the court without agreements or recommendations. A copy of the report was mailed to the parties on July 5, 2022. The court refers the parties to CCRC. Pending the review hearing the court orders Petitioner shall have temporary sole legal and physical custody of the minor. Respondent shall have professionally supervised visitation twice a week for two hours each. Respondent shall pay the cost of supervision.

Child Support

Based on Petitioner's May 24, 2022 filed Income and Expense Declaration, Petitioner's average monthly income is \$1,743 in social security benefits. Petitioner noted no deductions in her Declaration. Petitioner received assistance from others totaling \$1,500 per month.

Respondent has not filed an Income and Expense Declaration. However, Petitioner did include a copy of Respondent's W-2 for 2021, as an attachment to her May 24, 2022 filed declaration. Utilizing Respondent's 2021 W-2 the court finds his average monthly income to be \$4,590. The court finds good cause to utilize Respondent's W-2 as Respondent was properly served with the RFO and Petitioner's Income and Expense Declaration and has failed to file any response or Income and Expense Declaration.

Utilizing the above figures and a 0% timeshare for Respondent the court finds temporary guideline child support to be \$998 per month payable from Respondent to Petitioner. See attached DissoMaster report. The court orders Respondent to pay Petitioner \$998 per month as and for child support beginning June 1, 2022 and payable the 1st of each month until further court order or termination by operation of law.

The court finds this results in an arrears balance of \$2,994. The court orders Respondent to pay Petitioner \$249.50 per month as and for arrears effective August 15, 2022 and due on the 15th of each

month until paid in full (approximately 12 months). If there is any missed payment, the entire balance is due in full with any legal interest.

The court reserves jurisdiction to modify temporary child support retroactively to the date of the filing of the RFO. The parties are ordered to file and serve updated Income and Expense Declarations at least 10 days prior to the next hearing. Petitioner may collect the support payments through wage withholding by filing an Income Withholding Order with the court.

Spousal Support

Utilizing the same figures as set forth above, the court finds temporary guideline spousal support to be \$548 per month payable from respondent to Petitioner. See attached DissoMaster report. The court orders Respondent to pay Petitioner \$548 per month as and for temporary guideline spousal support beginning June 1, 2022 and payable of the 1st of each month until further court order or termination by operation of law.

The court finds this results in an arrears balance of \$1,644. The court orders Respondent to pay Petitioner \$137 per month as and for arrears effective August 15, 2022 and due on the 15th of each month until paid in full (approximately 12 months). If there is any missed payment, the entire balance is due in full with any legal interest.

The court reserves jurisdiction to modify temporary spousal support retroactively to the date of the filing of the RFO. The parties are ordered to file and serve updated Income and Expense Declarations at least 10 days prior to the next hearing. Petitioner may collect the support payments through wage withholding by filing an Income Withholding Order with the court.

Property Control

Petitioner requests exclusive use and control of the former marital home, as it is where she resides with the minor. Petitioner asserts Respondent has left the residence and is no longer contributing to the home's expenses. The court grants Petitioner's request for exclusive use and control of the property located at 2432 Black Rock Lane in Cool, California.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #25: PENDING RETURN FROM CCRC, PETITIONER SHALL HAVE TEMPORARY SOLE LEGAL AND PHYSICAL CUSTODY OF THE MINOR. RESPONDENT SHALL HAVE PROFESSIONAL SUPERVISED PARENTING TIME TWICE A WEEK FOR TWO HOURS EACH. RESPONDENT SHALL PAY THE COST OF SUPERVISION. THE PARTIES ARE REREFERRED TO CCRC FOR AN APPOINTMENT ON SEPTEMBER 12TH, 2022 AT 9:00 AM WITH NORMAN LABAT. THE COURT SETS A FURTHER REVIEW HEARING FOR OCTOBER 27TH, 2022 AT 1:30 PM IN DEPARTMENT 5. THE COURT ORDERS TEMPORARY GUIDELINE CHILD SUPPORT AS SET FORTH ABOVE. THE COURT ORDERS TEMPORARY GUIDELINE SPOUSAL SUPPORT AS SET FORTH ABOVE. THE TOTAL PAYMENT FOR CHILD AND SPOUSAL SUPPORT PAYABLE FROM RESPONDENT TO PETITIONER ON THE 1ST OF EACH MONTH IS \$1,546. THE TOTAL ARREARS PAYMENT FROM RESPONDENT TO PETITIONER ON THE 15TH OF EACH MONTH IS \$685. PETITIONER MAY COLLECT THE SUPPORT PAYMENTS THROUGH WAGE WITHHOLDING BY FILING AN INCOME WITHHOLDING ORDER WITH THE COURT. PARTIES ARE ORDERED TO FILE UPDATED INCOME

AND EXPENSE DECLARATIONS AT LEAST 10 DAYS PRIOR TO THE NEXT HEARING DATE. THE COURT RESERVES JURISDICTION TO RETROACTIVE MODIFY TEMPORARY CHILD AND SPOUSAL SUPPORT TO THE DATE OF THE FILING OF THE RFO. THE COURT GRANTS PETITIONER'S REQUEST FOR EXCLUSIVE USE AND CONTROL OF THE PROPERTY LOCATED AT 2432 BLACK ROCK LANE IN COOL, CALIFORNIA. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

ATTORNEY (NAME AND ADDRESS): EDC Court California	TELEPHONE NO:	Superior Court Of The State of California, County of
ATTORNEY FOR: <i>Baker</i>		COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: <i>22FLO440</i>

Input Data	Father	Mother	Guideline (2022)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	0%	0%	Father	5,413	Payment (cost)/benefit	(2,243) 2,243
Filing status	MFJ->	<-MFJ	Mother	1,652	Net spendable income	3,170 3,895
# Federal exemptions	1*	2*	Total	7,065	% combined spendable	44.9% 55.1%
Wages + salary	4,590	0	Support (Nondeductible)	Total taxes	723	91
401(k) employee contrib	0	0	CS Payor	Father # WHA	1	0
Self-employment income	0	0	Presumed	1,307	Net wage paycheck/mo	3,768 0
Other taxable income	1,546	1,743	Basic CS	1,307	Comb. net spendable	7,065
Short-term cap. gains	0	0	Add-ons	0	Proposed	
Long-term cap. gains	0	0	Presumed Per Kid		Payment (cost)/benefit	(2,243) 2,243
Other gains (and losses)	0	0	Child 1	1,307	Net spendable income	3,170 3,895
Ordinary dividends	0	0	SS Payor	Father	NSI change from gdl	0 0
Tax. interest received	0	0	El Dorado	936	% combined spendable	44.9% 55.1%
Social Security received	1,546	1,743	Total	2,243	% of saving over gdl	0% 0%
Unemployment compensation	0	0	Proposed, tactic 9	Total taxes	723	91
Operating losses	0	0	CS Payor	Father # WHA	1	0
Ca. operating loss adj.	0	0	Presumed	1,307	Net wage paycheck/mo	3,768 0
Roy, partnerships, S corp, trusts	0	0	Basic CS	1,307	Comb. net spendable	7,065
Rental income	0	0	Add-ons	0	Percent change	0.0%
Misc ordinary tax. inc.	0	0	Presumed Per Kid		Default Case Settings	
Other nontaxable income	0	0	Child 1	1,307		
New-spouse income	0	0	SS Payor	Father		
Adj. to Income (ATI)	0	0	El Dorado	936		
SS paid other marriage	0	0	Total	2,243		
Ptr Support Pd. other P'ships	0	0	Savings	0		
CS paid other relationship	0	0	No releases			
Health ins.	0	0				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. deductions	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				



On February 18, 2022, Petitioner filed a Petition to Establish a Parental Relationship. A Summons was issued the same day. On March 9, 2022, Petitioner filed a Proof of Service showing Respondent was personally served with the Summons on March 6, 2022.

On March 10, 2022, Petitioner filed an ex parte request for emergency child custody orders. Petitioner asserts Respondent was attempting to leave the state with the minors. They were stopped by law enforcement at Sacramento International Airport. On March 11, 2022, the court granted Petitioner's emergency request for temporary sole physical and legal custody of the minors. Petitioner filed a Request for Order on March 11, 2022 for child custody and parenting time orders. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on July 1, 2022 and a review hearing on June 2, 2022. Respondent was served by mail at his Fairfield address on April 13, 2022.

On March 21, 2022, Respondent filed a motion to quash the Petition to Establish a Parental Relationship. The Motion to Quash was set for hearing on May 26, 2022. At that time the parties met with the family law facilitator and reached an agreement which was adopted as the order of the court. In adopting the stipulation, the court continued the June 2, 2022 hearing date to August 11, 2022 to address the jurisdictional challenge, and re-referred the parties to CCRC. Parties were ordered to file supplemental declarations at least 10 days prior to the hearing date.

The parties attended CCRC on July 1, 2022. A CCRC report was issued on July 13, 2022 and mailed to the parties on July 26, 2022.

In compliance with the court's May order, Petitioner filed her Statement of Issues and Contentions and Request for Orders and Petitioner's Memorandum of Points and Authorities on August 1, 2022. Those documents were served via U.S. Mail the same day. The court has not received a supplemental declaration from Respondent.

On August 3, 2022, Petitioner filed Petitioner's Response to CCRC Report. Her response was served electronically that same day.

The issues of child custody and jurisdiction are both presently before the court. With regard to jurisdiction, Petitioner initially began custody proceedings in Solano County because that was where Respondent was residing with the children. After finding out that Respondent was living in a motel room and working in Arizona and left the children in California with limited adult supervision, Petitioner filed a Petition to Determine Parental Relationship in El Dorado County in February of 2022. The petition was served on March 6, 2022. Thereafter, on March 11, 2022, Respondent filed a Petition to Establish Parental Relationship in Solano County.

Respondent's basis for his Motion to Quash is the ongoing Solano County matter. However, Petitioner provides a screen shot from the Family Law Facilitator in Solano County verifying that the matter in that county has been closed. Petitioner states that she is of the belief that Respondent has moved to Arizona. This is confirmed in the CCRC report.

The children currently reside in El Dorado County and have been residing in this county exclusively since March 11, 2022. Prior to that time, the children resided in this county from 2015

through early 2019 when they moved in with Respondent. From 2019 through March of 2022, the children lived with Respondent in Solano County but often stayed with Petitioner in El Dorado County.

A proceeding to establish a parental relationship is properly venued where the child resides. At the time of the first filing, the children resided predominantly in Solano County. However, the parties did share custody between Fairfield and Placerville. Now, and for approximately the past five months, the children have been residing exclusively in El Dorado County and it appears that no one involved in the matter remains living in Solano County and the Solano County matter has since been closed due to inactivity. Accordingly, the court finds El Dorado County to be the proper venue and the Motion to Quash is denied.

With regard to custody, the CCRC report sets forth agreements reached by the parties as well as recommendations made by the CCRC counselor. According to the CCRC report, both parties agreed to the parenting time stated therein. However, in Petitioner's most recent filings she notes that the children have done well in her sole custody, and she requests sole legal and physical custody. She states she was blind sighted by CCRC's recommendation that the children move to Arizona as Respondent had never filed for a move away order and thus the topic was never really discussed. Given the discrepancy between the CCRC report and Petitioner's most recent filing, the court orders the parties to appear on the issues of child custody and visitation.

TENTATIVE RULING #18: THE COURT FINDS EL DORADO COUNTY TO BE PROPER VENUE AND THEREFORE RESPONDENT'S MOTION TO QUASH IS DENIED. THE COURT ORDERS THE PARTIES TO APPEAR ON THE ISSUES OF CHILD CUSTODY AND VISITATION.

On May 11, 2022, the parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on June 23, 2022 and a review hearing on August 11, 2022.

On May 19, 2022, the parties appeared for a hearing on Petitioner's Request for Order (RFO) for a modification of child support. The court set temporary child support at \$735 per month payable from Respondent to Petitioner on the first of each month, effective June 1, 2022. The court set a further review hearing on child support on August 11, 2022.

On June 23, 2022, the parties appeared for the CCRC appointment and were able to reach a full agreement. A copy of the report was mailed to the parties on June 24, 2022.

On June 22, 2022, the Department of Child Support Services (DCSS) filed a notice regarding payment of support substitution of payee. DCSS is now enforcing the child support orders. Parties were served by mail on June 22, 2022.

DCSS filed a Responsive Declaration on June 29, 2022. DCSS requests the issue of child support be continued until after the resolution of the custody and parenting time to the child support calendar before the child support commissioner in accordance with Family Code section 4251.

On July 29, 2022, Petitioner filed a Responsive Declaration to Respondent's RFO for custody and parenting time. Petitioner requests the current orders remain in full force and effect and the minor Delilah be added to the orders. Petitioner filed a Response to the CCRC report on the same day. Proof of Service shows Respondent was served by mail on July 29, 2022. In her Response, Petitioner requests the current orders remain in full force and effect. Petitioner further requests Respondent be ordered to participate in an Evidence Code section 730 evaluation rather than a mental health examination. Petitioner also requests the parties be referred to CCRC before commencing any step-up plan.

The court has read and considered the CCRC report and finds the agreement of the parties to be in the minors' best interests. The court adopts the agreement as the court's order. The court finds the parties reached an agreement at CCRC and there is no good cause to deviate from the agreement. The court continues the request to modify child support to the child support calendar, per DCSS's request.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #27: THE COURT ADOPTS THE PARTIES' AGREEMENTS AS SET FORTH IN THE CCRC REPORT AS THE COURT'S ORDER. THE COURT CONTINUES THE REQUEST TO MODIFY CHILD SUPPORT TO SEPTEMBER 12TH, 2022 AT 8:30 AM IN DEPARTMENT 5 ON THE CHILD SUPPORT CALENDAR. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On May 3, 2022, Petitioner filed a Request for Order (RFO) requesting a modification of child custody orders. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on June 30, 2022 and a review hearing on August 11, 2022. Upon review of the court file there is no Proof of Service showing Respondent or Minors' Counsel were served with the RFO and referral to CCRC.

Nevertheless, both parties appeared at the CCRC appointment and were able to reach a full agreement. A copy of the CCRC report was mailed to the parties, including Minors' Counsel on August 3, 2022.

The court finds the agreement of the parties to be in the best interest of the minors and it does not substantive modify the current custody and parenting time orders, but rather allows Petitioner to proceed with the court's prior order. Petitioner shall provide Respondent with the names of three therapists qualified to provide the parties and court with a Forensic Substance Abuse Evaluation on or before September 1, 2022. Respondent shall select one of the three and provide the name to Petitioner on or before September 15, 2022. Petitioner will then begin the evaluation process at the soonest available appointment.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #28: THE COURT FINDS GOOD CAUSE TO ADOPT THE PARTIES' AGREEMENT, DESPITE THE LACK OF PROPER NOTICE TO RESPONDENT AND MINORS' COUNSEL, AS THE AGREEMENT DOES NOT SUBSTANTIVELY ALTER THE CURRENT CUSTODY AND PARENTING TIME ORDERS, BUT RATHER ALLOWS PETITIONER TO ENGAGE IN A SUBSTANCE ABUSE EVALUATION AS PREVIOUSLY ORDERED. PETITIONER SHALL PROVIDE RESPONDENT WITH THE NAMES OF THREE THERAPISTS QUALIFIED TO PROVIDE THE PARTIES AND COURT WITH A FORENSIC SUBSTANCE ABUSE EVALUATION, ON OR BEFORE SEPTEMBER 1, 2022. RESPONDENT SHALL SELECT ONE OF THE THREE AND PROVIDE THE NAME TO PETITIONER, ON OR BEFORE SEPTEMBER 15, 2022. PETITIONER WILL THEN BEGIN THE EVALUATION PROCESS AT THE SOONEST AVAILABLE APPOINTMENT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.